

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

IN RE:  
James D Gentry  
  
Debtor

Case No: 16-31310  
(Chapter 13)  
  
JUDGE GUY R. HUMPHREY

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**CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION  
OF AMENDED PLAN FILED JUNE 22, 2016 (DOC 22)**

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The Chapter 13 Trustee objects to confirmation of the Debtor's amended plan filed June 22, 2016 (Doc 22), and as provided by 11 U.S.C. §1302(b)(2) recommends the plan not be confirmed, all as more fully set forth in the attached memorandum. A plan has not been confirmed.

\_\_\_\_\_/s/ Jeffrey M. Kellner\_\_\_\_\_  
JEFFREY M. KELLNER #0022205  
CHAPTER 13 TRUSTEE  
131 N LUDLOW ST SUITE 900  
DAYTON, OH 45402-1161  
(937) 222-7600 FAX (937) 222-7383  
email: chapter13@dayton13.com

Gentry 16-31310

The Debtor has filed an amended plan that increases the payment to the plan from \$3,135.00 to \$3,147.00 per month and decreases the percent to be paid to the general unsecured creditors from 2% to 0%. The amended plan also increases the value and the per monthly payment to Capital One Auto Finance, proposes adequate protection payments for Acceptance Now and proposes that the secured and priority claims owed to the State of Ohio shall be paid as a class 1 claim with a fixed monthly payment of \$500.00, in the event there is an unsecured base claim all excess funds will be paid to the State of Ohio and the Debtor waives discharge of any and all non-dischargeable amounts remaining at the end of the case. The Debtor has failed to file with the amended plan an amended Schedule I-Your Income and an amended Schedule J-Your Expenses. The Debtor has failed to file a plan in good faith pursuant to 11 U.S.C. § 1325(a)(3).

CERTIFICATE OF SERVICE

16-31310

I hereby certify that on July 7, 2016, a copy of the attached was served on the following ECF participants electronically through the court's ECF System at the email address registered with the court.

OFFICE OF THE U S TRUSTEE  
170 NORTH HIGH ST  
SUITE 200  
COLUMBUS, OH 43215

SCOTT A KRAMER  
130 W. SECOND ST  
SUITE 310  
DAYTON, OH 45402

And on the following by ordinary U.S. Mail, on July 7, 2016:

James D Gentry  
655 Golf View Court  
Vandalia, OH 45377

(93.1n)  
BRIAN M GIANANGELI  
THE LAW OFFICE OF CHARLES MIFSUD  
6305 EMERALD PARKWAY  
DUBLIN, OH 43016

(92.1n)  
CAPITAL ONE AUTO FINANCE  
% ASCENSION CAPITAL GROUP  
BOX 201347  
ARLINGTON, TX 76006

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